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Friday, 24 October 2008

The family of tragic Michael McIlveen will once more have to endure the anguish of a murder trial after the case against five youths accused of killing the schoolboy was dramatically halted yesterday.

After seven weeks and following the testimony of more than 40 witnesses, the judge told Antrim Crown Court that the trial was being stopped "as a result of certain matters which have arisen".

The trial had already heard harrowing details of the death of the Catholic schoolboy from Ballymena in May 2006. His family, including his devastated mother Gina, had sat through days of graphic evidence which described how he was chased and attacked in an alleyway.

Now the trial will have to begin again at a later date.

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The Antrim Crown Court jury of eight women and four men were yesterday discharged from any further involvement in the high profile trial.

Mr Justice Treacy also thanked the jury, first sworn in on September 8 last year, telling them that given their commitment to the trial since then, he would, if they wished, discharge them for life from any further jury service.

No other details surrounding the legal move were given in court and the case has now been adjourned until November 10 when a new jury will be sworn in.

This is the second dramatic turn of events to overtake the running of the case.

Within days of it first opening, one of the original accused, 20-year-old Mervyn Wilson Moon, from Douglas Terrace, Ballymena, pleaded guilty to his involvement in the murder of the 15-year-old.

The schoolboy died from brain injuries the day after he and friends were allegedly chased and attacked in an alleyway by Moon and others on May 7, 2006.

Moon, who faces life imprisonment, has been remanded back into custody to await sentencing at the end of the retrial of his former co-accused, five of whom deny murdering the Ballymena teenager.

Those still on trial for murder are: a 17-year-old who cannot be named for legal reasons; 19-year-old Jeff Colin Lewis, of Rosssdale; Christopher Francis Kerr (22), of Carnduff Drive; Aaron Cavana Wallace (20), of Moat Road, and Christopher Andrew McLeister (18), of Knock Crescent, all Ballymena.

A sixth defendant is 18-year-old Paul Edward David Henson, of Condiere Avenue, Ballymena, who denies charges of affray and criminal damage.

Henson, McLeister, Wallace and the 17-year-old were freed on continuing bail, while Lewis and Kerr were remanded back into custody.


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